

AMENDED

Nº 43958

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 29 1981
Returned to applicant for correction SEP 3 1981
Corrected application filed NOV 2 1981
Map filed NOV 2 1981 under 43957

The applicant Frank Paxton & Family

JD Ranch

, of Carlin

Street and No. or P.O. Box No.

City or Town

Nevada 89822

State and Zip Code No.

, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Frank Paxton & Family, a partnership consisting of Franklin T. and Maurine C. Paxton, C. Tad Paxton and Genevieve P. Rawson, partners, and Frank Paxton

1. The source of the proposed appropriation is Discovery Spring
Name of stream, lake or other source.
2. The amount of water applied for is 0.10 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet _____ acre-feet
3. The water to be used for Stockwater & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated) _____
(b) Stockwater (state number and kinds of animals to be watered) 1,000 head of cattle
(c) Other use (describe fully under "No. 12. Remarks") _____
(d) Power:
(1) Horsepower developed _____
(2) Point of return of water to stream _____
5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T 27 N, R 51 E, MDM, at a point from which the S $\frac{1}{4}$ corner of Section 35, T 27 N, R 51 E, MDM bears S 75° 56' E 4113 feet
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. Place of use S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 34, T 27 N, R 51 E, MDM
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) clean and improve the spring site to insure constant flow
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$1,000.00
10. Estimated time required to construct works.....2 years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- Please send copies of all correspondence and notices to undersigned agent.

By s/William A. Nisbet
Agent Signature, applicant or agent
421 Court
Elko, Nevada 89801

Compared js/sg ll/bm

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.031 cubic feet per second, or sufficient to water 1,000 head of cattle.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before January 17, 1987

Proof of completion of work shall be filed before February 17, 1987

Application of water to beneficial use shall be made on or before January 17, 1988

Proof of the application of water to beneficial use shall be filed on or before February 17, 1988

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed

Completion of work filed APR 22 1987

Proof of beneficial use filed APR 27 1987

Cultural map filed

Certificate No. 11972 Issued FEB 25 1988

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 17TH day of JANUARY

A.D. 1985

Peter G. Morros
State Engineer